

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation)
Against:)**

Eddie Anthony Ramirez, M.D.)

Case No. 800-2017-030426

**Physician's and Surgeon's)
Certificate No. G 61452)**

Respondent)


DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on January 12, 2018.

IT IS SO ORDERED December 14, 2017.

MEDICAL BOARD OF CALIFORNIA

By: 
**Kristina Lawson, Chair
Panel B**

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 CAROLYNE EVANS
Deputy Attorney General
4 State Bar No. 289206
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1211
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 800-2017-030426

11 **EDDIE ANTHONY RAMIREZ, M.D.**

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

12 **1131 Wilshire Blvd., Suite 302**
13 **Santa Monica, CA 90401**

14 **Physican's and Surgeon's Certificate No.**
15 **G61452**

16 Respondent.

17
18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 PARTIES

22 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
23 of California (Board). She brought this action solely in her official capacity and is represented in
24 this matter by Xavier Becerra, Attorney General of the State of California, by Carolyne Evans,
25 Deputy Attorney General.

26 2. Respondent Eddie Anthony Ramirez, M.D. (Respondent) is representing himself in
27 this proceeding and has chosen not to exercise his right to be represented by counsel.
28

3. On or about September 28, 1987, the Board issued Physician's and Surgeon's Certificate No. G61452 to Eddie Anthony Ramirez, M.D. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2017-030426, and will expire on October 31, 2018, unless renewed.

JURISDICTION

4. Accusation No. 800-2017-030426 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 5, 2017. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2017-030426 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 800-2017-030426. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent understands and agrees that the charges Accusation No. 800-2017-030426 if proven at hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate. For the purpose of resolving the Accusation without the expense and

1 uncertainty of further proceedings, Respondent agrees that based upon the action taken by the
2 Arizona Medical Board as alleged in the Accusation, cause exists to discipline his California
3 Physician's and Surgeon's Certificate pursuant to Business and Professions Code Sections 2305
4 and 141.

5 10. Respondent stipulates that the Board has jurisdiction to impose a public reprimand
6 upon his certificate to practice medicine pursuant to section 2227 of the Business and Professions
7 Code. Respondent agrees to be bound by the Board's imposition of discipline as set forth in the
8 Disciplinary Order below.

9 CONTINGENCY

10 11. This stipulation shall be subject to approval by the Medical Board of California.
11 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
12 Board of California may communicate directly with the Board regarding this stipulation and
13 settlement, without notice to or participation by Respondent. By signing the stipulation,
14 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the
15 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
16 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of
17 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
18 the parties, and the Board shall not be disqualified from further action by having considered this
19 matter.

20 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
21 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
22 signatures thereto, shall have the same force and effect as the originals.

23 13. In consideration of the foregoing admissions and stipulations, the parties agree that
24 the Board may, without further notice or formal proceeding, issue and enter the following
25 Disciplinary Order:

26 DISCIPLINARY ORDER

27 1. PUBLIC REPRIMAND

28 IT IS HEREBY ORDERED that Respondent Eddie A. Ramirez, M.D., Physician's and

1 Surgeon's Certificate No. G61452, shall be and hereby is publically reprimanded pursuant to
2 California Business and Professions Code section 2227, subdivision (a)(4). This public
3 reprimand which is issued in connection with Respondent's unprofessional conduct, as set forth
4 in Accusation No. 800-2017-030426, is as follows: On or about February 2, 2017, the Arizona
5 Medical Board issued an "Order for Letter of Reprimand and Probation" (Arizona Order). The
6 Arizona Order found that Respondent engaged in unprofessional conduct in that he departed from
7 the standard of practice in his care and treatment of a two-year-old patient. Specifically,
8 Respondent departed from the standard of care by failing to admit the patient for overnight
9 observation after a tonsillectomy procedure and by treating the patient with Tylenol 3 with
10 Codeine elixir for pain after performing the procedure. As a result of Respondent's
11 unprofessional conduct, the Arizona Medical Board issued a letter of reprimand and placed
12 Respondent on 6 months probation with the requirement that he complete no less than 5 hours of
13 CME in "perioperative management of pediatric patients."

14 2. **EDUCATION COURSE.** Within 60 calendar days of the effective date of this
15 Decision, Respondent shall submit to the Board or its designee for its prior approval educational
16 program(s) or course(s) in prescribing to pediatric patients and post-operative management of
17 pediatric patients. Respondent shall complete no less than 20 hours of Continuing Medical
18 Education (CME) in prescribing to pediatric patients and no less than 20 hours of CME in post
19 operative management of pediatric patients. The educational program(s) or course(s) shall be
20 aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified.
21 The educational program(s) or course(s) shall be at Respondent's expense and shall be in addition
22 to the CME requirements for renewal of licensure. Following the completion of each course, the
23 Board or its designee may administer an examination to test Respondent's knowledge of the
24 course. Respondent shall provide proof of attendance in the course or seminar in satisfaction of
25 this condition and of the hours of CME credit received. Respondent shall participate and
26 successfully complete the program or course not later than six (6) months after Respondent's
27 initial enrollment.

28 Failure to successfully complete the education program or course outlined above shall

1 constitute unprofessional conduct and grounds for further disciplinary action.

2
3
4 ACCEPTANCE

5 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
6 stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into
7 this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and
8 agree to be bound by the Decision and Order of the Medical Board of California.

9
10 DATED: 11/13/2017


11 EDDIE ANTHONY RAMIREZ, M.D.
12 Respondent

13 ENDORSEMENT

14 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
15 submitted for consideration by the Medical Board of California.

16
17 Dated: 11/17/2017

Respectfully submitted,

18 XAVIER BECERRA
19 Attorney General of California
20 JANE ZACK SIMON
21 Supervising Deputy Attorney General

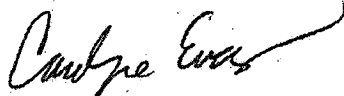

22 CAROLYNE EVANS
23 Deputy Attorney General
24 Attorneys for Complainant
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Exhibit A

Accusation No. 800-2017-030426

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 CAROLYNE EVANS
Deputy Attorney General
4 State Bar No. 289206
455 Golden Gate Avenue, Suite 11000
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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO June 5 20 17
BY D. Richards ANALYST

7
8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2017-030426

13 **Eddie Anthony Ramirez, M.D.**
14 **1131 Wilshire Blvd., Suite 302**
Santa Monica, CA 90401

A C C U S A T I O N

15 **Physician's and Surgeon's Certificate**
16 **No. G61452,**

17 **Respondent.**

18
19 Complainant alleges:

20 **PARTIES**

21 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
22 capacity as the Executive Director of the Medical Board of California, Department of Consumer
23 Affairs (Board).

24 2. On or about September 28, 1987, the Medical Board issued Physician's and Surgeon's
25 Certificate Number G61452 to Eddie Anthony Ramirez, M.D. (Respondent). The Physician's
26 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
27 herein and will expire on October 31, 2018, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

Section 2227 of the Code provides, in part, that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, be publicly reprimanded, or such other action taken in relation to discipline as the Board deems proper.

4. Section 2234 of the Code provides that the Board shall take action against a licensee who is charged with unprofessional conduct.

5. Section 2305 of the Code states:

The revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license or certificate to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California of a licensee under this chapter shall constitute grounds for disciplinary action for unprofessional conduct against the licensee in this state.

6. Section 141 of the Code states:

"(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

"(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country."

1 CAUSE FOR DISCIPLINE

2 (Discipline, Restriction, or Limitation Imposed by Another State)

3 7. On or about February 2, 2017, the Arizona Medical Board issued an Order for Letter
4 of Reprimand and Probation (Arizona Order). The Arizona Order found that Respondent
5 departed from the standard of care in his care and treatment of a two-year-old patient.
6 Specifically, Respondent departed from the standard of care by failing to admit the patient for
7 overnight observation after a tonsillectomy procedure and by treating the patient with Tylenol 3
8 with Codeine elixir for pain after performing the procedure. As a result of Respondent's
9 unprofessional conduct, the Arizona Medical Board issued a letter of reprimand and placed
10 Respondent on six months probation with the requirement that he complete no less than five
11 hours of CME in "perioperative management of pediatric patients."

12 8. Respondent's conduct as set forth in paragraph 7 above, and the action of the Arizona
13 Medical Board, as set forth in the Arizona Order, constitute unprofessional conduct within the
14 meaning of section 2305 and conduct subject to discipline within the meaning of section 141(a).
15 The Arizona Order is attached as Exhibit A.

16 PRAYER

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
18 and that following the hearing, the Medical Board of California issue a decision:

19 1. Revoking or suspending Physician's and Surgeon's Certificate Number G61452,
20 issued to Eddie Anthony Ramirez, M.D.;

21 2. Revoking, suspending or denying approval of Eddie Anthony Ramirez, M.D.'s
22 authority to supervise physician assistants and advanced practice nurses;

23 3. Ordering Eddie Anthony Ramirez, M.D., if placed on probation, to pay the Board the
24 costs of probation monitoring; and

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4. Taking such other and further action as deemed necessary and proper.

DATED: June 5, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SF2017401429

EXHIBIT A



Arizona Medical Board

9545 E. Doubletree Ranch Road, Scottsdale AZ 85258 • website: www.azmd.gov
Phone (480) 551-2700 • Toll Free (877) 255-2212 • Fax (480) 551-2707

Governor

Douglas A. Ducey

Members

James Gillard, M.D.
Chair
Physician Member

R. Screven Farmer, M.D.
Vice-Chair
Physician Member

Jodi Bain, Esq.
Secretary
Public Member

Marc Berg, M.D.
Physician Member

Teresa Connolly, D.N.P.
Public Member

Gary R. Figge, M.D.
Physician Member

Pamela E. Jones
Public Member

Lois E. Krahn, M.D.
Physician Member

Edward G. Paul, M.D.
Physician Member

Wanda Salter, R.N.
Public Member/R.N.

Executive Director

Patricia E. McSorley

I, Mary Bober, of the Arizona Medical Board, hereby certify that I am the official custodian of the records of the agency; and that the attached documents are true and complete copies of the documents requested regarding:

Physician Name: Eddie A. Ramirez, M.D.

License Number: 36004

Attached are the following document(s):

Document Name:

Physician Profile

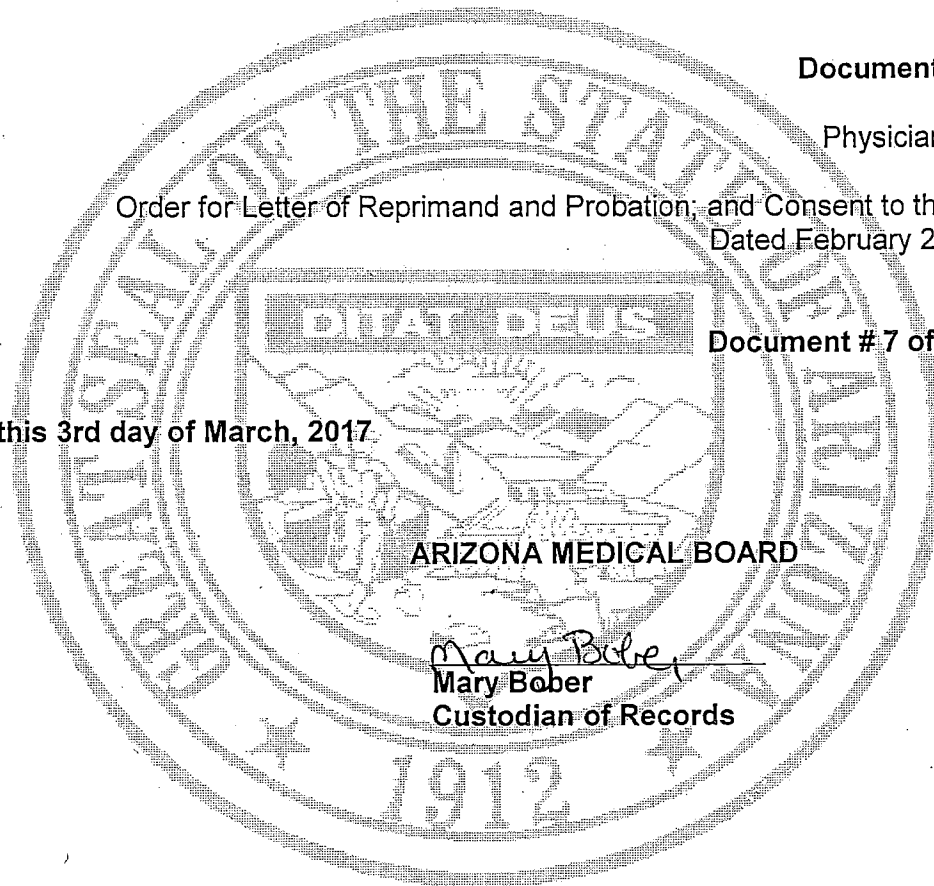
Order for Letter of Reprimand and Probation; and Consent to the Same
Dated February 2nd, 2017

Document # 7 of Pages:

Dated this 3rd day of March, 2017.

ARIZONA MEDICAL BOARD


Mary Bober
Custodian of Records



1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 EDDIE A. RAMIREZ, M.D.

4 Holder of License No. 36004
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-15-1424A

**ORDER FOR LETTER OF
REPRIMAND AND PROBATION;
AND CONSENT TO THE SAME**

7 Eddie A. Ramirez, M.D. ("Respondent"), elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for a Letter of Reprimand and Probation;
9 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of
10 this Order by the Board.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 36004 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-15-1424A after receiving notification of
17 a malpractice settlement regarding Respondent's care and treatment of a 2 year-old male
18 patient ("MG") alleging failure to order appropriate medication.

19 4. On June 18, 2013, Respondent performed a tonsillectomy and
20 adenoidectomy on MG. MG had one desaturation recorded in the 70s when he arrived
21 from the operating room, but quickly recovered. MG was also noted to have had several
22 episodes of desaturation while in PACU and had O2 saturations of 98-99% on room air at
23 the time of discharge. MG was given Tylenol with codeine elixir as an analgesic for home.
24 MG's mother gave him the medication at 2:00 a.m. on June 19th and again around 7:00
25 a.m. By 9:30 a.m., MG's mother noted that he was listless and not really responsive. She
took him to his primary care provider.

1 5. MG was evaluated by his primary care provider and was noted to be in
2 respiratory arrest. When EMS arrived, MG was subsequently taken via ambulance to the
3 emergency room, where he died.

4 6. An autopsy identified bronchopneumonia as the cause of death. MG had a
5 number of cardiac abnormalities including enlargement of the right sided chambers and
6 hypertrophy of the left ventricle with endocardiac thickening at the base of the aortic valve,
7 and patent foramen ovale. Labs were drawn and were notable for naloxone, which had
8 been administered by EMS. Also noted were free codeine, and free morphine that were in
9 excess of therapeutic levels in the cardiac blood. The free codeine levels were not
10 consistent with a rapid metabolizer of codeine.

11 7. The standard of care for a two year-old patient who underwent an outpatient
12 tonsillectomy procedure required Respondent to admit the patient overnight for
13 observation. Respondent deviated from this standard of care by failing to admit MG for
14 overnight observation.

15 8. The standard of care required Respondent to adhere to the FDA black box
16 warning recommending against using Tylenol 3 with Codeine elixir for treating pain in post-
17 tonsillectomy children. Respondent deviated from the standard of care by treating MG
18 with Tylenol 3 with Codeine elixir for pain after performing a tonsillectomy.

19 **CONCLUSIONS OF LAW**

20 a. The Board possesses jurisdiction over the subject matter hereof and over
21 Respondent.

22 b. The conduct and circumstances described above constitute unprofessional
23 conduct pursuant to A.R.S. § 32-1401(27)(q) ("Any conduct or practice that is or might be
24 harmful or dangerous to the health of the patient or the public.").

1 ORDER

2 IT IS HEREBY ORDERED THAT:

- 3 1. Respondent is issued a Letter of Reprimand.
- 4 2. Respondent is placed on Probation for a period of 6 months with the
- 5 following terms and conditions:

6 a. Continuing Medical Education

7 Respondent shall within 6 months of the effective date of this Order obtain no less

8 than 5 hours of Board Staff pre-approved Category I Continuing Medical Education

9 ("CME") in perioperative management of pediatric patients. Respondent shall within thirty

10 days of the effective date of this Order submit his request for CME to the Board for pre-

11 approval. Upon completion of the CME, Respondent shall provide Board staff with

12 satisfactory proof of attendance. The CME hours shall be in addition to the hours required

13 for the biennial renewal of medical licensure. The Probation shall terminate upon

14 Respondent's proof of successful completion of the CME.

15 b. Obey All Laws

16 Respondent shall obey all state, federal and local laws, all rules governing the

17 practice of medicine in Arizona, and remain in full compliance with any court ordered

18 criminal probation, payments and other orders.

- 19 3. The Board retains jurisdiction and may initiate new action against
- 20 Respondent based upon any violation of this Order. A.R.S. § 32-1401(27)(r). (Rem)

21 DATED AND EFFECTIVE this 2nd day of February, 2016.

22

23 ARIZONA MEDICAL BOARD

24 By Patricia E. McSorley

25 Patricia E. McSorley
Executive Director

1
2 **CONSENT TO ENTRY OF ORDER**

3 1. Respondent has read and understands this Consent Agreement and the
4 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
5 acknowledges he has the right to consult with legal counsel regarding this matter.

6 2. Respondent acknowledges and agrees that this Order is entered into freely
7 and voluntarily and that no promise was made or coercion used to induce such entry.

8 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
9 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
10 this Order in its entirety as issued by the Board, and waives any other cause of action
11 related thereto or arising from said Order.

12 4. The Order is not effective until approved by the Board and signed by its
13 Executive Director.

14 5. All admissions made by Respondent are solely for final disposition of this
15 matter and any subsequent related administrative proceedings or civil litigation involving
16 the Board and Respondent. Therefore, said admissions by Respondent are not intended
17 or made for any other use, such as in the context of another state or federal government
18 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
19 any other state or federal court.

20 6. Upon signing this agreement, and returning this document (or a copy thereof)
21 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
22 the Order. Respondent may not make any modifications to the document. Any
23 modifications to this original document are ineffective and void unless mutually approved
24 by the parties.
25

1 7. This Order is a public record that will be publicly disseminated as a formal
2 disciplinary action of the Board and will be reported to the National Practitioner's Data
3 Bank and on the Board's web site as a disciplinary action.

4 8. If any part of the Order is later declared void or otherwise unenforceable, the
5 remainder of the Order in its entirety shall remain in force and effect.

6 9. If the Board does not adopt this Order, Respondent will not assert as a
7 defense that the Board's consideration of the Order constitutes bias, prejudice,
8 prejudgment or other similar defense.

9 10. *Respondent has read and understands the conditions of probation.*

10
11 
12 EDDIE A. RAMIREZ, M.D.

DATED: 1/8/17

13
14 EXECUTED COPY of the foregoing mailed
15 this 2nd day of February, 2016 to:

16 Eddie A. Ramirez, M.D.
17 Address of Record

18 ORIGINAL of the foregoing filed
19 this 2nd day of February, 2016 with:

20 Arizona Medical Board
21 9545 E. Doubletree Ranch Road
22 Scottsdale, AZ 85258

23 
24 Board staff
25